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*Monday, April 18, 2011*

**Via Fax & ECF**

Judge Joseph H. Rodriguez  
Fax: 856-757-5077

Magistrate Judge Joel Schneider  
Fax: 856-757-5355

RE: Daniel Donnelly v. Daniel Guerriero, et al  
Docket No.: 10-cv-03240

Your Honors:

Plaintiffs write this Honorable Court to clarify the Court's amended scheduling order (Docket No. 67) vis-à-vis defendants, Hoy's, et al., subsequent Motion to Dismiss (No. 72):

On February 14, 2011, in anticipation of a mutually agreed settlement conference, this Honorable Court entered its amended scheduling order postponing all scheduling deadlines pending Order of Court. Subsequently, on March 17, 2011, defendants, Hoy, et al., filed their Motion to Dismiss.

As there exists confusion as to whether this Honorable Court's amended scheduling order stayed plaintiffs' response deadline to defendants' motion, plaintiffs request this Honorable Court enter the attached proposed order confirming defendants' motion is, in fact, stayed per that amended scheduling order. Additionally, as indicated in the attached proposed order, plaintiffs request this Honorable Court set that anticipated settlement conference.

Thank you for this Honorable Court's clarification that plaintiffs' response to defendants' motion is stayed pending settlement conference which is to be set. In the alternative, plaintiffs request 21 days to respond to defendants' motion.

Sincerely,

/s/ Matthew B. Weisberg  
MATTHEW B. WEISBERG

MBW/hcm

Cc: William T. Marshall Jr., Esq.  
Mark G. Wolkoff, Esq.  
James R. Radmore, Esq.  
Joel M. Wertman, Esq.  
(via ECF only)

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
(CAMDEN VICINAGE)**

**WEISBERG LAW, P.C.**  
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Daniel & Samantha Donnelly  
39 Churchtown Road  
Pennsville, NJ 08070  
Plaintiff,

v.

Daniel Guerriero, et al.  
1412 Oxford Valley Road  
Levittown, PA 19056  
Defendants.

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: CIVIL ACTION NO.: 10-3240  
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: JURY OF TWELVE (12) JURORS DEMANDED  
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**ORDER**

AND NOW this \_\_\_\_\_ day of \_\_\_\_\_, 2011, upon consideration of Plaintiffs' letter requesting clarification of the amended scheduling order (Docket No. 67) in light of Defendants, Hoy, et al.'s Motion to Dismiss (No. 72), and any response thereto, it is hereby ORDERED and DECREED that Plaintiffs' Request is GRANTED, and Plaintiffs' response deadline to Defendants' motion is STAYED pending settlement conference.

Settlement conference is scheduled for \_\_\_\_\_ day of \_\_\_\_\_, 2011, before the undersigned, at \_\_\_\_\_ a.m./p.m., with all parties' representatives to be present thereat in-person with their counsel.

**AND IT IS SO ORDERED.**

\_\_\_\_\_  
,M.J.